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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 11-00014 SI
	)	
Plaintiff,	)	
	)	STIPULATION AND [ <del>PROPOSED</del> ]
v.	)	ORDER DOCUMENTING
	)	EXCLUSION OF TIME
ROBERT SCHENK,	)	
	)	
Defendant.	)	

With the agreement of the parties in open court on March 9, 2011, and with the consent of the defendant Robert Schenk ("defendant"), the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from March 9, 2011, to March 11, 2011. The Court finds and holds, as follows:

1. The defendant appeared before the Court on March 9, 2011, for identification of counsel and a hearing on the United States' detention motion.

2. At the appearance on March 9, 2011, the parties informed the Court that the defendant's next appearance would be on March 11, 2011, before the Honorable Susan Illston. Before that date, the government will produce to the defendant discovery related to the charges in this case. Counsel for the defendant needs time to review that discovery and to investigate the case.

STIP. & [~~PROPOSED~~] ORDER DOCUMENTING EXCLUSION OF TIME  
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3. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until March 11, 2011, is necessary for effective preparation of defense counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). Given these circumstances, the Court finds that the ends of justice served by excluding the period from March 9, 2011, to March 11, 2011, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

4. Accordingly, and with the consent of the defendant, the Court orders that the period from March 9, 2011, to March 11, 2011, be excluded from Speedy Trial Act calculations under 18 U.S.C. §§ 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

SO STIPULATED.

DATED: March 10, 2011

MELINDA HAAG  
United States Attorney

\_\_\_\_\_/s/\_\_\_\_\_  
KYLE F. WALDINGER  
Assistant United States Attorney

DATED: March 10, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
LOREN STEWART  
Counsel for the defendant ROBERT SCHENK

IT IS SO ORDERED.

DATED: March 11, 2011

\_\_\_\_\_  
JOSEPH C. SPERO  
United States District Judge  
